



AUG 23 2004

Atty. Dkt. No. 065678-0108

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Naoshi Fukushima, et al.

Title: AGONIST ANTIBODIES

Appl. No.: 10/645,085

Filing Date: 10/17/2002

Examiner: Not Yet Assigned

Art Unit: Unassigned

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed March 22, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

Declaration and Power of Attorney (\_\_\_\_ pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

Return Copy of Notice to File Missing Parts (2 pgs)

Translation

Drawings

Amendment in Response to Notice to File Missing Parts (7 pgs)

Claim for Convention Priority and certified copies of priority document

Information Disclosure Statement

Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

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Extension for response filed within the first month

Extension for response filed within the second month

Extension for response filed within the third month

Extension for response filed within the fourth month

Extension for response filed within the fifth month

CRF copy of the Sequence Listing (1 diskette)

Statement to support filing and submission of Seq. Listing (1 pg.)

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	22	-	20 = 2	x \$18.00 =	\$36.00
Independ ents:	4	-	3 = 1	x \$86.00 =	\$86.00
If any Multiple Dependent Claim(s) present:			+ \$290.00 =	\$0.00	
Surcharge under 37 CFR 1.16(e) for late payment of filing fee			+ \$130.00 =	\$130.00	
<input checked="" type="checkbox"/> Extension fee for response filed within the third month:			+ \$950.00 =	\$ 950.00	
			SUBTOTAL: =	\$1,972.00	
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			=	\$0.00	
			TOTAL FILING FEE: =	\$1,972.00	
Difference to pay:			TOTAL FEE =	\$1,972.00	
			- \$0.00 -	\$1,972.00	

Check in the amount of \$1,972.00 in payment of  
surcharge fee (37 C.F.R. § 1.16(e))

[ ] Please charge Deposit Account No. 19-0741 in the amount of \$1,972.00 in payment of surcharge fee  
(37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 23, 2004

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Attorney for Applicants  
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UNITED STATES PATENT AND TRADEMARK OFFICE

BOX - Secy  
IFW  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/645,085	10/07/2002	Naoshi Fukushima	065678-0108



22428  
FOLEY AND LARDNER  
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08/24/2004 EFLURES 00000057 10645085

01 FC:1001 770.00 OP  
02 FC:1201 86.00 OP  
03 FC:1202 36.00 OP  
04 FC:1051 130.00 OP

CONFIRMATION NO. 7376

FORMALITIES LETTER



Date Mailed: 03/22/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

08/24/2004 EFLURES 00000057 10645085

01 FC:1001 770.00 OP  
02 FC:1201 86.00 OP  
03 FC:1202 36.00 OP  
04 FC:1051 130.00 OP

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The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$122 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1022 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$122
  - \$86 for 1 independent claims over 3.
  - \$36 for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*(Signature)*  
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY